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JUN 20 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Peasley

Examiner: Devon C Kramer

Serial No: 10/517,884

Art Unit: 3683

Filed: 12/13/2004

Docket No. A2682

For: HANDBRAKE CABLE GUIDE SPRING
WITH INTEGRAL LATCHING FLAP BIAS

June 20, 2006

Box: Non-fee Amendment
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

AMENDMENT "A"

In response to Office Action dated 03/23/2006, please amend the claims as shown on the attached pages 1-3 of Claims for Amendment "A" (Attachment (A)) by deleting the portions shown by strikethroughs and adding the portions underlined.

REMARKS

The Examiner has rejected this US patent application on the basis of the assignee's earlier case A2570 (Matteis et al) taking the view that it is obvious to combine the guide spring and the flap spring into one spring.

The assignee does not agree with this view and would point out that the Examiner is using hindsight (ex post facto analysis) when making this observation and had this combination been in fact obvious then the assignee would have adopted this construction in its original design and would not have adopted the significantly more complex constructions shown in the assignee's earlier patent which are considerably more difficult to assemble and are more costly. It is submitted that there is nothing in Matteis et al to suggest a construction in which the guide spring is extended to hook onto a locating formation on the latching member to provide the latch bias and to retain the spring in position on the lever as is proposed in the present invention.

The present Invention offers the following advantages over the assignee's own two spring construction shown in Matteis et al :-

1. It reduces the number of components which makes the construction cheaper which is very important when the arrangement is used on high volume cars. The assignee is a high volume manufacturer of brakes and